

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 20312 of 2007(R)

PETITIONER:

E.P.HARIJAYANANTHAN NAMBOOTHIRI,
THE PRESIDENT, MANAGING COMMITTEE, TALIPARAMBA,
TRICHAMBARAM, KANHIRANGAD DEVASWOM,
(T.T.K. DEVASWOM), TALIPARAMBA-670 141, KANNUR.

BY ADV. DR.K.P.KYLASANATHA PILLAY
SMT.SREEDEVI KYLASANATH
SMT.S.PREETHA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE HOME SECRETARY, HOME DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM.
3. THE SUPERINTENDENT OF POLICE,
OFFICE OF THE SUPERINTENDENT OF POLICE,
KANNUR.
4. THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
KANNUR.
5. THE CIRCLE INSPECTOR OF POLICE,
TALIPARAMBA.
6. THE SUB INSPECTOR OF POLICE,
TALIPARAMBA, KANNUR.

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WPC.NO.20312/2007 R

7. THE COMMISSIONER,
H.R. & C.E. (ADMN.) DEPARTMENT, KOZHIKODE.

8. E.K.BABU,
EXECUTIVE DIRECTOR (IN SUSPENSION),
T.T.K.DEVASWOM, RESIDING AT ELAYIDATH KOLASSERY
ILLOM, MUILOOL P.O., PATTUVAM, TALIPARAMBA,
KANNUR.

BY PUBLIC PROSECUTOR SRI. JIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Kss

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE MEMO DTD. 24/10/2005 OF PETITIONER TO 8TH RESPONDENT.
- EXT.P2: COPY OF THE RESOLUTION DTD. 14/07/2006 OF THE MANAGING COMMITTEE OF T.T.K. DEVASWOM.
- EXT.P3: COPY OF COMPLAINT DTD. 25/05/2007 FILED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, TALIPARAMBA.
- EXT.P4: COPY OF NOTICE DTD.1/06/2007 ISSUED BY 6TH RESPONDENT TO PETITIONER.
- EXT.P5: COPY OF AUDIT INSPECTORS REPORT.
- EXT.P6: COPY OF SCHEME OF T.T.K.DEVASWOM.
- EXT.P7: COPY OF RESOLUTION DTD. 22/06/2007 OF MANAGING COMMITTEE OF T.T.K.DEVASWOM.
- EXT.P8: COPY OF REPRESENTATION DTD. 21/06/2007 SUBMITTED BY PETITIONER BEFORE THE 2ND RESPONDENT.

/TRUE COPY/

P.A.TO JUDGE

KSS

R.BASANT, J
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W.P.(C). No.20312 Of 2007
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Dated this the 26th day of October, 2007

JUDGMENT

The grievance of the petitioner is that respondent-Police is not taking proper steps for investigation into Crime No.371/2007, registered, inter alia, under Section 406 IPC. That crime was registered on the basis of the private complaint filed by the petitioner before the learned Magistrate and referred by the learned Magistrate to the Police under Section 156(3) Cr.P.C.

2. The learned Public Prosecutor was directed to take instructions. A statement has been filed by respondents 1 to 6, in which it is reported that investigation is taken over by the Vigilance Department. A reply statement is filed by the petitioner and it is submitted at the Bar that the petitioner is satisfied with the direction to conduct an enquiry by the Vigilance Department. It is only prayed that expeditious completion of the enquiry may be directed.

3. The learned counsel for the petitioner submits that in the light of the statement filed by the respondents, no further specific directions is necessary. There may be direction for expeditious completion of the enquiry.

4. This writ petition is hence dismissed, in the light of the subsequent development of commencement of enquiry by the Vigilance Department. I direct, the Vigilance Department to complete the enquiry, as expeditiously as possible.

(R.BASANT, JUDGE)

sj